

§ 1044.11

milk plant to another plant for the account of such cooperative association;

(d) Any cooperative association, at its election, with respect to member milk delivered from the farm to the fluid milk plant of another handler in a tank truck operated by or under contract to the cooperative association. To elect this handler status, the market administrator must be notified prior to the first day of the month during which these deliveries will take place. Milk delivered pursuant to this paragraph is deemed to have been received at the location of the milk plant to which it is delivered;

(e) Any person in his capacity as the operator of an other order plant that would otherwise qualify as a fluid milk plant; or

(f) A producer-handler.

[28 FR 4750, May 11, 1963, as amended at 29 FR 10867, July 30, 1964]

§ 1044.11 Producer.

Producer means a person, other than a producer-handler as defined in any order (including this part) who produces milk in conformity with the sanitation requirements for Grade A milk of any duly constituted health authority, or in conformity with the requirements of Michigan Act No. 169, Public Acts 1929, as amended which milk is:

(a) Received at a fluid milk plant; or

(b) Diverted from such plant for the account of a handler.

[29 FR 10867, July 30, 1964]

§ 1044.12 Associated producer.

Associated producer means any person, other than a producer-handler, with respect to any of his milk not accepted or accounted for by a handler at a fluid milk plant in any month of December through June, who:

(a) Produces milk in conformity with the sanitation requirements for Grade A milk of any duly constituted health authority or in conformity with the requirements of Michigan Act No. 169, Public Acts 1929, as amended;

(b) Delivered milk to a fluid milk plant in any three of the preceding months of July through November; and

(c) Certifies in writing to the market administrator, on or before the first

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day after each month of December through June in which his milk is not accepted or accounted for by a handler at a fluid milk plant, that he will deliver his milk to such fluid milk plant and does so deliver upon request from the handler to the market administrator.

[28 FR 4750, May 11, 1963]

§ 1044.13 Producer-handler.

Producer-handler means a dairy farmer who distributes fluid milk products on a route in the marketing area but receives no fluid milk products during the month except his own production or from fluid milk plants.

[28 FR 4751, May 11, 1963]

§ 1044.14 Producer milk.

Producer milk means skim milk and butterfat contained in Grade A milk received at a fluid milk plant directly from a dairy farmer or a handler pursuant to § 1044.10(d): *Provided*, That:

(a) Milk diverted pursuant to § 1044.11(b) to a nonfluid milk plant that is not subject to the classification and pricing provisions of another order issued pursuant to the Act shall be deemed to have been received by the diverting handler at the location of the plant from which diverted, and

(b) Milk diverted pursuant to § 1044.11(b) to a fluid milk plant shall be deemed to have been received by the diverting handler at the location of the plant to which diverted.

[28 FR 4750 May 11, 1963, as amended at 28 FR 11053, Oct. 16, 1963]

§ 1044.15 Associated producer milk.

Associated producer milk means the milk produced by an associated producer that is not accepted or accounted for by a handler at a fluid milk plant and is used for manufacturing purposes in a nonfluid milk plant engaged exclusively in manufacturing operations.

[28 FR 4751, May 11, 1963]

§ 1044.16 Other source milk.

Other source milk means all skim milk and butterfat contained in or represented by:

(a) Receipts during the month of fluid milk products except: (1) Receipts